

## Federal Communications Commission

## § 11.61

stations, cable systems and wireless cable systems.

[59 FR 67092, Dec. 28, 1994, as amended at 63 FR 29666, June 1, 1998; 63 FR 39035, July 21, 1998; 65 FR 21658, Apr. 24, 2000; 65 FR 53614, Sept. 5, 2000]

EDITORIAL NOTE: At 65 FR 53614, Sept. 5, 2000, § 11.54, paragraph (b)(14), was amended by removing “§ 76.305” and adding in its place “§§ 76.1700, 76.1708, and 76.1711”, effective Oct. 5, 2000.

### § 11.55 EAS operation during a State or Local Area emergency.

(a) The EAS may be activated at the State and Local Area levels by broadcast stations, cable systems and wireless cable systems at their discretion for day-to-day emergency situations posing a threat to life and property. Examples of natural emergencies which may warrant activation are: tornadoes, floods, hurricanes, earthquakes, heavy snows, icing conditions, widespread fires, etc. Man-made emergencies may include: toxic gas leaks or liquid spills, widespread power failures, industrial explosions, and civil disorders.

(b) EAS operations must be conducted as specified in State and Local Area EAS Plans. The plans must list all authorized entities participating in the State or Local Area EAS.

(c) Immediately upon receipt of a State or Local Area EAS message, broadcast stations, cable systems and wireless cable systems participating in the State or Local Area EAS must do the following:

(1) State Relay (SR) sources monitor the State Relay Network or follow the State EAS plan for instructions from the State Primary (SP) source.

(2) Local Primary (LP) sources monitor the Local Area SR sources or follow the State EAS plan for instructions.

(3) Participating National (PN) and Non-participating National (NN) sources monitor the Local Area LP sources for instructions.

(4) Broadcast stations, cable systems and wireless cable systems participating in the State or Local Area EAS must discontinue normal programming and follow the procedures in the State and Local area plans. Television stations must comply with § 11.54(b)(6) and

cable systems and wireless cable systems must comply with § 11.54(b)(7). Broadcast stations providing foreign language programming shall comply with § 11.54(b)(8).

(5) Upon completion of the State or Local Area EAS transmission procedures, resume normal programming until receipt of the cue from the SR or LP sources in your Local Area. At that time begin transmitting the common emergency message received from the above sources.

(6) Resume normal operations upon conclusion of the message.

(7) The times of the above EAS actions must be entered in the broadcast station, cable system or wireless cable system records as specified in § 11.54(b)(14). FCC Form 201 may be used to report EAS activations to the FCC.

(8) Use of the EAS codes or Attention Signal automatically grants rebroadcast authority as specified in § 11.54(d).

[59 FR 67092, Dec. 28, 1994, as amended at 63 FR 29666, June 1, 1998; 65 FR 21658, Apr. 24, 2000]

## Subpart E—Tests

### § 11.61 Tests of EAS procedures.

(a) Tests shall be made at regular intervals as indicated below. Additional tests may be performed anytime. EAS activations and special tests may be performed in lieu of required tests as specified in paragraph (a)(6) of this section. All tests will conform with the procedures in the EAS Operating Handbook.

(1) Required Monthly Tests of the EAS header codes, Attention Signal, Test Script and EOM code.

(i) Effective January 1, 1997, AM, FM and TV stations.

(ii) Effective October 1, 2002, cable systems with fewer than 5,000 subscribers per headend.

(iii) Effective December 31, 1998, cable systems with 10,000 or more subscribers; and, effective October 1, 2002, cable systems serving 5,000 or more, but less than 10,000 subscribers per headend.

(iv) Effective October 1, 2002, all wireless cable systems.

(v) Tests in odd numbered months shall occur between 8:30 a.m. and local sunset. Tests in even numbered months

shall occur between local sunset and 8:30 a.m. They will originate from EAS Local or State Primary sources. The time of the test and script content will be developed by State Emergency Communications Committees in cooperation with affected broadcast stations, cable systems, wireless cable systems, and other participants. Script content may be in the primary language of the broadcast station. These monthly tests must be transmitted within 15 minutes of receipt by broadcast stations and cable systems and wireless cable systems in an EAS Local Area or State. Class D non-commercial educational FM, LPFM and LPTV stations are required to transmit only the test script.

(2) Required Weekly Tests:

(i) EAS Header Codes and EOM Codes:

(A) Effective January 1, 1997, AM, FM and TV stations must conduct tests of the EAS header and EOM codes at least once a week at random days and times.

(B) Effective December 31, 1998, cable systems with 10,000 or more subscribers per headend must conduct tests of the EAS header and EOM codes at least once a week at random days and times on all programmed channels:

(C) Effective October 1, 2002, cable systems serving fewer than 5,000 subscribers per headend must conduct tests of the EAS header and EOM codes at least once a week at random days and times on at least one programmed channel.

(D) Effective October 1, 2002, the following cable systems and wireless cable systems must conduct tests of the EAS header and EOM codes at least once a week at random days and times on all programmed channels:

(1) Cable systems serving 5,000 or more, but less than 10,000 subscribers per headend; and,

(2) Wireless cable systems with 5,000 or more subscribers.

(E) Effective October 1, 2002, the following cable systems and wireless cable systems must conduct tests of the EAS header and EOM codes at least once a week at random days and times on at least one programmed channel:

(1) Cable systems with fewer than 5,000 subscribers per headend; and,

(2) Wireless cable systems with fewer than 5,000 subscribers.

(ii) Class D non-commercial educational FM, LPFM and LPTV stations are not required to transmit this test but must log receipt.

(iii) The EAS weekly test is not required during the week that a monthly test is conducted.

(iv) TV stations, cable television systems and wireless cable systems are not required to transmit a video message when transmitting the required weekly test.

(3) Periodic Wire Service Tests. AP, Reuters and UPI shall separately conduct test transmissions to broadcast stations and cable systems on their wire networks. Tests may occur no more than once a month at random times selected by the wire services. These tests shall conform with the procedures in the EAS Operating Handbook and the National Control Point Procedures.

(4) Weekly Emergency Action Notification (EAN) network transmissions. Tests of the National level interconnection facilities shall be conducted on a random basis once each week. They shall originate from the Federal government over a dedicated network to specified control points of the radio and television networks, cable networks and program suppliers, wire services, common carriers and other organizations. The tests shall conform with the National Control Point Procedures.

(5) Periodic National Tests. National Primary (NP) sources shall participate in tests as appropriate. The FCC may request a report of these tests.

(6) EAS activations and special tests. The EAS may be activated for emergencies or special tests at the State or Local Area level by a broadcast station, cable system or wireless cable system instead of the monthly or weekly tests required by this section. To substitute for a monthly test, activation must include transmission of the EAS header codes, Attention Signal, emergency message and EOM code and comply with the visual message requirements in § 11.51. To substitute for the weekly test of the EAS header codes and EOM codes in paragraph (a)(2)(i) of this section, activation must include transmission of the EAS header and EOM codes. Television stations and

cable systems and wireless cable systems shall comply with the aural and visual message requirements in §11.51. Special EAS tests at the State and Local Area levels may be conducted on a daily basis following procedures in State and Local Area EAS plans.

(b) Entries shall be made in broadcast station and cable system and wireless cable system records as specified in §11.54(b)(14) concerning EAS tests received and transmitted.

[59 FR 67092, Dec. 28, 1994, as amended at 60 FR 56000, Nov. 6, 1995; 63 FR 29666, June 1, 1998; 65 FR 7640, Feb. 15, 2000; 65 FR 21658, Apr. 24, 2000]

#### § 11.62 Closed Circuit Tests of National Level EAS facilities.

(a) Closed Circuit Tests (CCT) of National Level EAS facilities shall be conducted on a random or scheduled basis not more than once a month and not less than once every three months. Test times will be selected by the White House in coordination with participating industry personnel, the Federal Emergency Management Agency (FEMA), and the FCC. The FCC will notify the participating networks, wire services, cable networks and program suppliers and common carriers of the selected time window for the test at least four working days (holidays excluded) before the test.

(b) The EAS Operating Handbook and National Control Point Procedures contain the CCT procedures.

(c) The control points of the participating radio and television networks, cable networks and program suppliers, wire services and common carriers will receive notification of a CCT by a "Closed Circuit Test Activation Message".

(d) Test announcements will originate from a point selected by the White House with program feed circuitry connected to the telephone company Toll Test Center at points coordinated for each test. Participating common carriers will connect, as required, the facilities of the radio networks and other test participants. Telephone companies are not authorized to add any participating independent broadcast stations unless authorized by the FCC. Authentication will be provided to the Toll Test Center or other program entry lo-

cation responsible for test arrangements.

(e) CCT procedures for radio network affiliates, wire service subscribers, and, if participating, television network affiliates and cable systems are as follows:

(1) Notification of a CCT will be disseminated as specified in §11.53 (a)(1) and (a)(3) and the EAS Operating Handbook.

(2) Recipients immediately monitor their radio network, and if participating, their television network or cable system, and check their wire service for the receipt of the CCT Activation Message.

(3) Continue to monitor for the CCT audio talkup and program.

(4) Enter the time of receipt of the CCT message in the broadcast station log or cable system records.

(5) The CCT terminates on the following aural closing cue in the text of the test program: "This concludes the Closed Circuit Test of the EAS."

(6) Following the closing cue, wire service subscribers will receive a "Closed Circuit Test Termination Message". Record the time of receipt as indicated above.

(f) The FCC may request a CCT report in a prescribed format.

[59 FR 67092, Dec. 28, 1994, as amended at 65 FR 21658, Apr. 24, 2000]

## PART 13—COMMERCIAL RADIO OPERATORS

### GENERAL

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